

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE ENROLLED ACT No. 67

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AN ACT to amend the Indiana Code concerning corrections, criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 9-30-5-3, AS AMENDED BY HEA 1618-2001, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Sec. 3. A person who violates section 1 or 2 of this chapter commits a Class D felony if:

- (1) the person has a previous conviction ~~under section 1 or 2 of this chapter;~~ **of operating while intoxicated;** and
- (2) the previous conviction ~~under section 1 or 2 of this chapter of~~ **operating while intoxicated** occurred within the five (5) years immediately preceding the occurrence of the violation of section 1 or 2 of this chapter.

SECTION 2. IC 35-50-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) As used in this chapter, "Class D felony conviction" means a conviction of a Class D felony in Indiana and a conviction, in any other jurisdiction at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year. However, it does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor under section 7(b) of this chapter.

(b) As used in this chapter, "felony conviction" means a conviction, in any jurisdiction at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year.



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However, it does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor under section 7(b) of this chapter.

(c) As used in this chapter, "minimum sentence" means:

- (1) for murder, ~~thirty (30)~~ **forty-five (45)** years;
- (2) for a Class A felony, twenty (20) years;
- (3) for a Class B felony, six (6) years;
- (4) for a Class C felony, two (2) years; and
- (5) for a Class D felony, ~~one (1)~~ **one-half (1/2)** year.

**SECTION 3. [EFFECTIVE UPON PASSAGE] (a) IC 35-50-2-1, as amended by this act, applies to crimes committed on and after the effective date of this SECTION.**

**(b) It is the intent of the general assembly that IC 35-50-2-1, as it applies to crimes committed before the effective date of this SECTION, be construed without drawing any inference from the passage of this act.**

**SECTION 4. An emergency is declared for this act.**

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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